

JS 44C/SDNY  
REV.  
10/01/2020

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
BRIAN VESCIO and COSTANCA VESCIO

DEFENDANTS  
BANKERS STANDARD INSURANCE COMPANY

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Moshe Y. Singer, Law Office of Moshe Y. Singer, 1617 45th Street, Brooklyn,  
New York 11204, (929) 333-9630

ATTORNEYS (IF KNOWN)  
Costantino P. Suriano and Robert S. Goodman, Mound Cotton Wollan &  
Greengrass LLP, One New York Plaza, 44th Floor, New York, New York  
10004, (212) 804-4200

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. Sections 1332, 1441, 1446; alleged breach of insurance contract

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

## TORTS

## ACTIONS UNDER STATUTES

<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
<input checked="" type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 REAL ESTATE	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 376 QUI TAM
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> REAPPORTMENT
<input type="checkbox"/> INSTRUMENT	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> PRODUCT LIABILITY			<input type="checkbox"/> 410 ANTI TRUST
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> INJURY PRODUCT			<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> LIABILITY			<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> ENFORCEMENT	<input type="checkbox"/> 340 MARINE		<b>PROPERTY RIGHTS</b>		<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> OF JUDGMENT	<input type="checkbox"/> 345 MARINE PRODUCT	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 880 DEFEND TRADE SECRETS ACT	<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> MEDICARE ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT		<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 835 PATENT-ABREVIATED NEW DRUG APPLICATION		<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> 355 MOTOR VEHICLE		<input type="checkbox"/> 840 TRADE MARK		<input type="checkbox"/> (RICO)
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 380 OTHER PERSONAL		<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> (EXCL. VETERANS)	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> PROPERTY DAMAGE		<input type="checkbox"/> 861 FIA (1395m)	<input type="checkbox"/> 485 TELEPHONE CONSUMER
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> INJURY	<input type="checkbox"/> 385 PROPERTY DAMAGE	<b>LABOR</b>	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> PROTECTION ACT
<input type="checkbox"/> OVERPAYMENT	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 863 DRUG/DRUG (405(g))	
<input type="checkbox"/> OF VETERANS'	<input type="checkbox"/> MED MALPRACTICE		<input type="checkbox"/> STANDARDS ACT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> BENEFITS		<b>PRISONER PETITIONS</b>	<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> 160 STOCKHOLDERS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> RELATIONS		<input type="checkbox"/> COMMODITIES/
<input type="checkbox"/> SUITS	<b>ACTIONS UNDER STATUTES</b>	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> EXCHANGE
<input type="checkbox"/> 190 OTHER	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> VACATE SENTENCE	<input type="checkbox"/> 751 FAMILY MEDICAL	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> CONTRACT	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> LEAVE ACT (FMLA)	<input type="checkbox"/> Defendant)	<input type="checkbox"/> ACTIONS
<input type="checkbox"/> 195 CONTRACT	<input type="checkbox"/> (Non-Prisoner)	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 790 OTHER LABOR	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> PRODUCT	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> LITIGATION	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 791 EMP. REL. INC.		<input type="checkbox"/> MATTERS
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 443 HOUSING/	<b>PRISONER CIVIL RIGHTS</b>	<input type="checkbox"/> SECURITY ACT (ERISA)		<input type="checkbox"/> INFORMATION ACT
	<input type="checkbox"/> ACCOMMODATIONS	<input type="checkbox"/> 550 CIVIL RIGHTS	<b>IMMIGRATION</b>		<input type="checkbox"/> 896 ARBITRATION
<b>REAL PROPERTY</b>	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 462 NATURALIZATION		<input type="checkbox"/> 899 ADMINISTRATIVE
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> DISABILITIES -	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> APPLICATION		<input type="checkbox"/> PROCEDURE ACT/REVIEW OR
<input type="checkbox"/> 220 CONDEMNATION	<input type="checkbox"/> EMPLOYMENT	<input type="checkbox"/> CONDITIONS OF CONFINEMENT	<input type="checkbox"/> 465 OTHER IMMIGRATION		<input type="checkbox"/> APPEAL OF AGENCY DECISION
<input type="checkbox"/> 230 FORECLOSURE	<input type="checkbox"/> 446 AMERICANS WITH				<input type="checkbox"/> 990 CONSTITUTIONALITY OF
<input type="checkbox"/> RENT LEASE &	<input type="checkbox"/> DISABILITIES-OTHER				<input type="checkbox"/> STATE STATUTES
<input type="checkbox"/> EJECTMENT	<input type="checkbox"/> 448 EDUCATION				
<input type="checkbox"/> 240 TORTS TO LAND					
<input type="checkbox"/> 245 TORT PRODUCT					
<input type="checkbox"/> LIABILITY					
<input type="checkbox"/> 290 ALL OTHER					
<input type="checkbox"/> REAL PROPERTY					

Check if demanded in complaint

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge ☐ 8 Multidistrict Litigation (Direct File)
- ☒ a. all parties represented ☐ b. At least one party is pro se.

## ORIGIN

(PLACE AN x IN ONE BOX ONLY)

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☒ 4 DIVERSITY

## BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [X] 1 [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] 5 [X] 5
CITIZEN OF ANOTHER STATE	[ ] 2 [ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Brian Vescio and Costanca Vescio, 259 Sickletown Road, West Nyack, New York (Rockland (NY) County)

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Bankers Standard Insurance Company, 436 Walnut Street, Philadelphia, Pennsylvania (Philadelphia (PA) County)

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☒ WHITE PLAINS ☐ MANHATTAN

DATE 10/3/23 /s/ Costantino P. Suriano

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
[X] YES (DATE ADMITTED Mo 08 Yr. 1981)  
Attorney Bar Code # 1718030

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)